UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

DAVID KUEHN,

Plaintiff,

v.

CIVIL ACTION No. 05-10574 (RGS)

DELOS INTERNATIONAL, INC.,

Defendant.

STIPULATION OF DISMISSAL WITH PREJUDICE

The Parties hereby jointly request that the Complaint filed in this matter be dismissed, with prejudice and without costs, sanctions, or attorneys' fees to either party. All rights of appeal are hereby expressly waived.

DAVID KUEHN AMELIA STONE HAYGOOD, CAROL

ROSENBERGER, AND DELOS INTERNATIONAL, INC.

By his attorney, By its attorneys,

/s/ Eugene R. Curry /s/ John E. Duke

Eugene R. Curry, BBO #549239 Jonathan A. Keselenko, BBO #559604

3010 Main Street John E. Duke, BBO # 658755

Barnstable, MA 02630 Foley Hoag LLP (508) 375-0070 155 Seaport Boulevard

Boston, MA 02210 (617) 832-1000

Dated: January 17, 2006 Dated: January 10, 2006